



**CITY OF NORFOLK
OFFICE OF THE MAYOR**

PAUL D. FRAIM
MAYOR

August 21, 2015

The Honorable Angelia Williams Graves
The Honorable Mamie B. Johnson
The Honorable Andrew A. Protogyrou
The Honorable Paul R. Riddick
The Honorable Thomas R. Smigiel, Jr.
The Honorable Theresa W. Whibley
The Honorable Barclay C. Winn

Ladies and Gentlemen:

Pursuant to Section 12 of the City Charter, I hereby call a special meeting of the Council to meet at 5:00 P.M., August 25, 2015, in the 10th floor conference room at City Hall for a Regular Meeting.

Thank you,

A handwritten signature in black ink, appearing to read "Paul D. Fraim".

Paul D. Fraim
Mayor

cc: Mr. Marcus Jones, City Manager
Mr. Bernard A. Pishko, City Attorney
Mr. R. Breckenridge Daughtrey, City Clerk



**CITY OF NORFOLK
OFFICE OF THE MAYOR**

Paul D. Fraim
Mayor

August 21, 2015

The following meetings will take place on Tuesday, August 25, 2015:

1. 5:00 P.M. Council to assemble in the 10th floor conference room at City Hall for a Regular Meeting.
2. 7:00 P.M. Regular Council Meeting.

NORFOLK, VIRGINIA

DOCKET FOR THE COUNCIL

TUESDAY, AUGUST 25, 2015 – 7:00 P.M.

Prayer to be offered by Councilman Paul Riddick, followed by the Pledge of Allegiance.

PUBLIC HEARINGS

PH-1 **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City of Norfolk**, for an amendment to the future land use designation in the **General Plan**, *plaNorfolk2030*, from Office to Commercial and for a change of zoning from BC-1 (Business and Commerce Park) District to C-3 (Retail Center) District on property located at **6000 Northampton Boulevard**.

PH-2 **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **L.S. Birsch Construction Co., Inc.**, for a change of zoning from R-6 (Single-Family) District to Conditional R-8 (Single-Family) District on property located at **436-442 Glenrock Road**.

PH-3 **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Portside Improvements, LLC**, for a change of zoning from R-8 (Single-Family) District to Conditional R-9 (Single-Family) District on property located at **3401-3405 Lens Avenue**.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Letter from the City Manager advising, in accordance with Chapter 33.1-40 of the Norfolk City Code, of the emergency/sole source procurement to reconstruct the **Selden Arcade** following the explosion during the month of July 2015 for the **Department of Public Works**.

Recommended Action: Receive and file.

- C-2 Letter from the City Clerk attaching a summary of the meeting of the **Norfolk Electoral Board** held on **July 22, 2015** to determine the expiration dates of **three (3) School Board members** in conjunction with the transition to an elected **School Board**.

Recommended Action: Receive and file.

REGULAR AGENDA

- R-1 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to permit a **Convenience Store, 24-Hours** (with fuel sales) known as '**Wal-Mart**' and '**Sam's Club**' on property located at **7530 Tidewater Drive**," will be introduced in writing and read by its title.

- R-2 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as '**Flights Tasting Room**' on property located at **824 West 21st Street**," will be introduced in writing and read by its title.
- R-3 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to permit the operation of a **Used Merchandise Sales** establishment named '**Grandma Bear's**' on property located at **1529 International Boulevard, Suite 104**," will be introduced in writing and read by its title.
- R-4 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as '**Exception Ale**' on property located at **2000 Colonial Avenue, Suite 6**," will be introduced in writing and read by its title.
- R-5 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as '**Tinto Wine & Cheese, Etc.**' on property located at **999 Waterside Drive, Suite 113**," will be introduced in writing and read by its title.
- R-6 Letter from the City Manager and the following two Ordinances:
- An Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as '**AJ Gator's Sports Bar and Grill**' on property located at **435 Monticello Avenue, Unit 1**," will be introduced in writing and read by its title.
- R-6A An Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as '**AJ Gator's Sports Bar and Grill**' on property located at **435 Monticello Avenue, Unit 1**," will be introduced in writing and read by its title.

- R-7 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as '**Arabian Knights**' on property located at **9651 1st View Street, Suite D**," will be introduced in writing and read by its title.
- R-8 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment known as '**319 Bacon**' on property located at **319 Granby Street**," will be introduced in writing and read by its title.
- R-9 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment known as '**Jack Brown's Beer and Burger Joint**' on property located at **131 Granby Street, Suite A**," will be introduced in writing and read by its title.
- R-10 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to **Work Release, LLC**, authorizing the operation of an entertainment establishment, '**Work Release**' on property located at **759 Granby Street**," will be introduced in writing and read by its title.
- R-11 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a grant in the amount of \$1,170,308 from the **Virginia Department of Criminal Justice Services** for the **Norfolk Criminal Justice Services Agency**, appropriating and authorizing the expenditure of the grant funds in the amount of \$1,170,308, authorizing the expenditure of \$158,932 in local funding for the **NCJS Agency** and authorizing the employment of **twenty (20) persons** for the Agency and providing funds for their salaries and benefits," will be introduced in writing and read by its title.
- R-12 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a **National Fish and Wildlife Foundation Grant** in the amount of \$4,640,000 for the development of a **Green Infrastructure Plan and Network** for **Lafayette River** and appropriating and authorizing the expenditure of the \$4,640,000 grant for the **Green Infrastructure Plan and Network Development**," will be introduced in writing and read by its title.

- R-13 Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **Charles R. Weil** and **Leigh S. McCue-Weil** to encroach into **Willoughby Bay Avenue** at **9605 6th View Street**, with a pier, timber and rip rap bulkhead, and a flagpole," will be introduced in writing and read by its title.
- R-14 Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **Little Dog Diner** to encroach into the right-of-way at **1917 Colley Avenue** with a 3'x3.5' area size **Eco-Dog Solar Powered Bio-Filtered Rain Catchment Dog Watering Station**," will be introduced in writing and read by its title.
- R-15 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving an **Encroachment Agreement** with **759 Granby, LLC**, dba **Work/Release**, for outdoor dining at the corner of **Granby Street** and **Olney Road**," will be introduced in writing and read by its title.
- R-16 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting permission to **Muddy Paws** to encroach into the right-of-way of **37th Street** at **3700 Hampton Boulevard** and **37th Street** and approving the terms and conditions of the **Encroachment Agreement**," will be introduced in writing and read by its title.
- R-17 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving an **Encroachment Agreement** with **T-Mobile Northeast LLC** for property at **324 Madison Mews**," will be introduced in writing and read by its title.
- R-18 Letter from the City Manager and an Ordinance entitled, "An Ordinance appropriating Two Hundred Forty Thousand Dollars (\$240,000.00) from the **U.S. Marshal Service Special Revenue Account**, if and when received, and authorizing the expenditure thereof at the direction of the Sheriff to pay for various employee benefits, equipment purchases and maintenance costs related to programs designed to improve the efficiency of the jail," will be introduced in writing and read by its title.

- R-19 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving the acceptance of receipts from a **Special Revenue Project**, the **Sheriff's Community Corrections Program**, appropriating Six Hundred Seventy Five Thousand Dollars (\$675,000.00) for Fiscal Year 2016, authorizing the expenditure thereof by the Sheriff, authorizing the Sheriff's continued employment of **twelve (12) persons** for the Program and providing funds for their salaries and benefits," will be introduced in writing and read by its title.
- R-20 Letter from the City Manager and an Ordinance entitled, "An Ordinance appropriating Thirty Five Thousand Dollars (\$35,000.00) and authorizing the expenditure thereof by the Sheriff, if and when received from the **Deputy Fund Service Special Revenue Account**, to pay for holding functions for his employees, extending condolences and congratulations to his employees and similar incentive-related benefits for his employees," will be introduced in writing and read by its title.
- R-21 Letter from the City Manager and an Ordinance entitled, "An Ordinance appropriating One Hundred Seventy Five Thousand Four Hundred Sixty Three Dollars (\$175,463) if and when received from the **Sheriff** and authorizing the expenditure thereof towards salaries and benefits for **three Sheriff Employees**," will be introduced in writing and read by its title.
- R-22 Letter from the City Attorney and an Ordinance entitled, "An Ordinance to amend and reordain **Section 38-106** of the **Norfolk City Code, 1979**, **SO AS TO** limit the frequency of periodic yard or garage sales," will be introduced in writing and read by its title.
- R-23 Letter from the City Attorney and an Ordinance entitled, "An Ordinance approving payments in lieu of taxes for tax exempt residences developed or caused to be developed by **NRHA**," will be introduced in writing and read by its title.